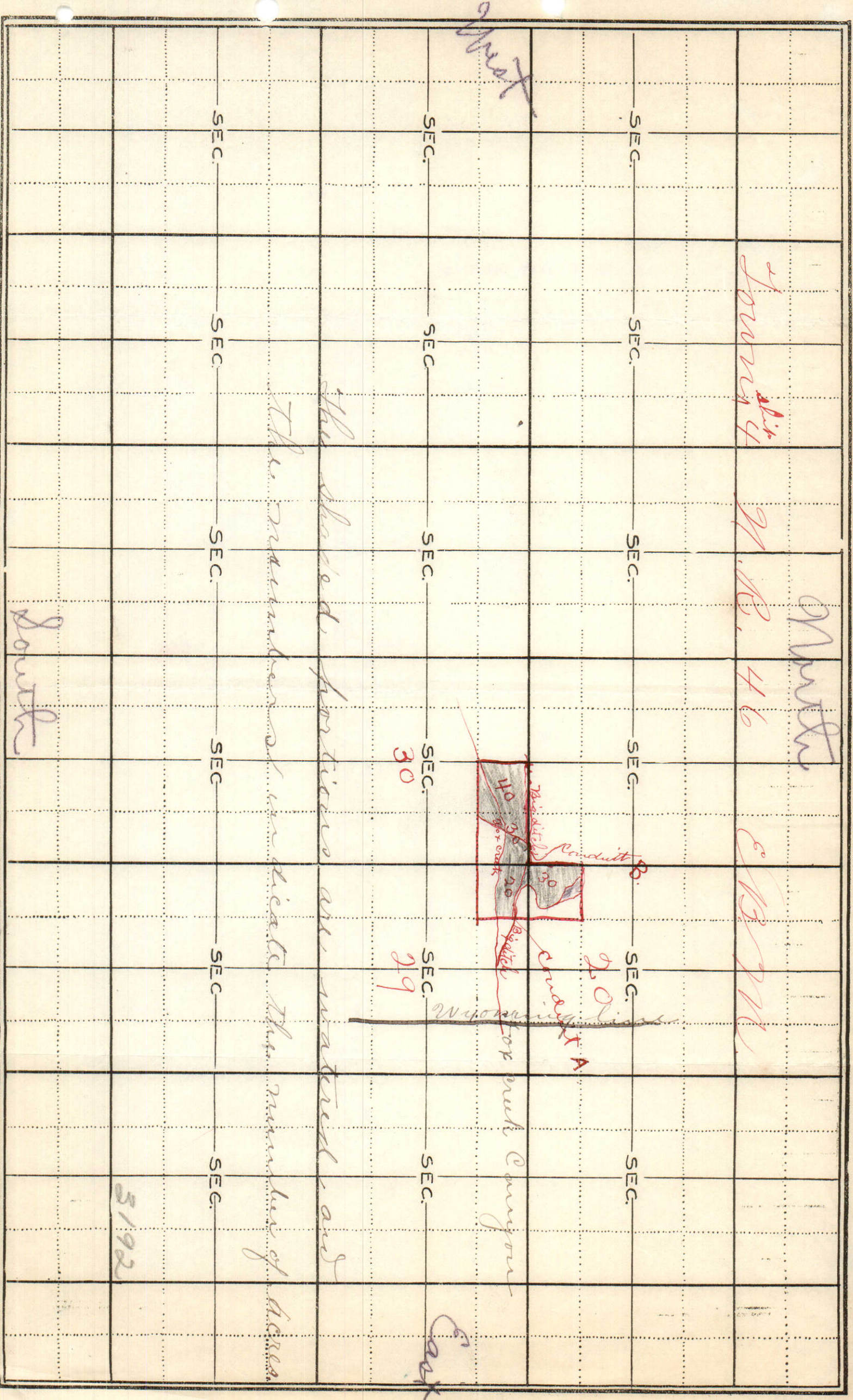




*
Fremont County *
Fox Creek *
2 second feet *
Irrigation *
Priority 10-11-1907 *
*

S T A T E _ O F _ I D A H O

Water License No. 3192.

WHEREAS, On the 11th day of October A.D.1907, WILLIAM NICKELL, of Chopin, County of Fremont, and State of Idaho, duly made application (No. 4463) to me for a permit to use two cubic feet per second of the waters of Fox Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes; and,

WHEREAS, On the 12th day of October, A.D. 1907, Permit No. 3192, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 12th day of October, A.D.1908, and for the application to beneficial use of said water on or before the 12th day of October, A.D. 1909, and,

WHEREAS, On the 28th day of December A.D.1907, the holder of said permit duly made proof of the completion of adequate works for the diversion of two cubic feet per second of said waters, as evidenced by my Certificate No. 3192, dated January 21,1908, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two cubic feet per second of water, with date of priority of October 11,1907, and,

WHEREAS, On the 18th day of January, A. D.1909, proof was duly made of the application to beneficial use of two cubic feet per second of said water.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to WILLIAM NICKELL, of Chopin, Idaho, the holder and owner of said Permit No. 3192, a perpetual right, dating from October 11,1907, to the use of two cubic feet per second of the waters of Fox Creek, in the County of Fremont, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near the northeast corner of southeast quarter of northwest quarter (SE4 NW4) Section 29. Twp. 4 N., R. 46. E.B.M., and conducted to and upon (30 acres in SW4 SW4, Section 20; 20 acres in NW4 NW4 Section 29; 30 acres in NE4 NE4, Section 30 30 and 40 acres in NW4 NE4 Section 30, all in Township 4 north, range 46 east of Boise meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this second day of February A.D. Nineteen Hundred and nine.

Jas. Stephenson, Jr.

(SEAL)

State Engineer/

Recorded February 2,1909

22-2027

No4463. 22 - 2027

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: William Nickell

Postoffice address: Chopin.

County: Fremont. State: Idaho.

2. The quantity of water claimed is Two (2) cubic feet per second.

3. Source of water supply: Fox Creek.

County of ^{To To} Fremont.

4. Location of point of diversion: Near SE Corner of SW4 SE4 Sec. 20 T 4 N.R.46 E.B.M.

5. To be used for:

I Irrigation and domestic use:

(a) Amount of land to be irrigated: 160 acres.

(b) In the following legal subdivisions: N2 NE4 Sec. 30 surveyed & uns. NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 29 SW4 SW4 sec. 20 Twp 4 N R. 46 E. B. M.

6. Estimated cost of works: Three Hundred & fifty Dollars.

7. Description of works for diversion:

I. Kind of works: Ditch with small dam.

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 12 feet, length of dam at bottom 12 feet. Material used in construction: Wood.

(c) Size of headgate: Width 12 feet, height 4 feet.

(d) Conduit Ditch, width at bottom 10 feet, width at water line 12 feet, depth of water 2 feet. Average grade per mile is 15 to 20 feet. Length of conduit is $\frac{1}{2}$ miles, and it crosses the following quarter sections: SE4 and SW4 Sec. 20 T 4 N. R. 46 E. B. M. to land described the 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is One year.

9. Time required for the complete application of the water to the proposed use is One additional year.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

William Nickell

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3192.

Date of first receipt of application 9:00 October 11, 1907.

Recorded in Book 9 Page 3192 Approved October 12, 1907.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before December 11, 1907, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 12, 1908..

The whole of said work to be completed on or before October 12, 1908.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to October 12, 1909.

Witness my hand this 12 day of October 1907.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice of proof of completion mailed applicant.

Notice received November 21, 1907, fixing December 28, 1907, as date and St. Anthony as place of pro

Notice for publication mailed Teton Peak Chronicle November 21, 1907.

Deposition blanks mailed applicant November 21, 1907.

O. E. Peterson authorized November 21, 1907, to make examination.

His report received December 26, 1907.

Depositions and fees received January 2, 1908.

Affidavit of publication received January 20, 1908.

Certificate issued January 21, 1908.

Permit No. 3192

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that WILLIAM NICKELL of Chapin, County of Fremont and State of Idaho, the holder of Permit No. 3192, issued upon Application No. 4463, bearing date of priority of October 11, 1907, authorizing the diversion of Two second feet of the waters of Fox Creek, County of Fremont, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use Two second-feet of the waters of Fox Creek; that the point of diversion of said waters is in the Southwest quarter of Southeast quarter Section 20, Township 4 North, Range 46 East of Boise Meridian and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: North half of Northeast quarter (NE2 NE4) Section 30, and unsurveyed Northwest quarter of Northwest quarter (NW4 NW4) Section 29; Southwest quarter of Southwest quarter (SW4 SW4) Section 20, Township 4 North, Range 46 East of Boise Meridian.

Witness my hand this 21st day of January, A. D. 1908.

Jas. Stephenson, Jr.

State Engineer.

License issued for 2 second feet

P. 437

WATER RIGHT NUMBER 22-2027

OWNER LAST NAME - NICKELL

FIRST NAME - WILLIAM

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - CHOPIN

STATE - ID ZIP CODE -

SOURCE - FOX CREEK

TRIBUTARY OF - TETON RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 10-11-1907 COUNTY - TETON

TOTAL DIV. RATE - 2.0000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 01

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SENW 29 04N 46E LOT 00 REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

SENW 29 04N 46E LOT REDIV -

272.0 489.0 10.0 36.0 0.0 0.0 0.0 0.0 0.0 0.0 8.5

FROM -

TO -

USE - IRRIGATION

USE DIV. RATE -

2.0000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - 01-01 TO - 12-31

USE - DOMESTIC

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 000 RNG 000 SEC 00

USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 46E SEC 20 TRACT SWSW LOT AC 30

USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 46E SEC 29 TRACT NWNW LOT AC 20

USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 46E SEC 30 TRACT NENE LOT AC 30 TRACT NWNE LOT AC 40

DECKEE NAME -

DATE -

TOTAL ACRES 120

REMARKS - LICENSE INDICATES P/D IN FREMONT CO.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 3192

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

Report of Engineer

1. State name of applicant and number of permit: *William Nickell, No 3192*
2. State source of water supply: *Fox Creeks Canyon*
3. Location of point of diversion: *Half mile west of Wyoming line*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Yes, fully completed and in accordance with permit*
5. Describe works as they exist, giving dimensions of same as follows:

A {	(a) Width of conduit at bottom:	<i>3 feet</i>	} B {	<i>3 feet</i>
	(b) Width at water line:	<i>3 feet</i>		<i>3 feet</i>
	(c) Depth of water:	<i>1 foot</i>		<i>8 inches</i>
	(d) Grade per mile:	<i>2.7 feet</i>		<i>3.5 feet</i>
6. State whether or not water has been turned into works of diversion and if so, to what extent: *Yes, it has been used for nearly four years*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *The location at each forty is the following: N.W. 1/4 of N.E. 1/4 of Sec 30 with 40 acres cultivated. N.E. 1/4 of N.E. 1/4 sec 30 with 30 acres cultivated. N.W. 1/4 of N.W. 1/4 Sec 29 with 20 acres cultivated. S.W. 1/4 of S.W. 1/4 Sec. 20 with 30 acres cultivated.*
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: *In 5 above the dimensions of two conduits are given. On maps you will notice conduit A and B.*

D.S. Neal

STATE OF IDAHO,

County of _____

} ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *12* day of *Jan* 190*9*.

My Commission Expires *May 26-1910*

Harold P. Winger
Notary Public.

3192

2/24

of Journal

2007

Amte

100

54

SEC.

500

64-10

SEC.

SECRET

SEC.

SECRET

670

666

67

5-11-61

51-1031

SEC.

SEC.

SEC

54C

570

The shaded portions are material and the remainder are details that remainder of house

Don't

261

SEC. SEC.
J.O. Line
Candy RA
Whoopie
Top over Conjurat

SEC. SEC.